



**04-0-0052**

**AN ORDINANCE BY:  
COUNCILMEMBER DEBI STARNES**

**AN ORDINANCE TO REIMBURSE IMPACT FEE CREDITS FOR HIGHLAND SCHOOL LOFTS, LOCATED AT 978 NORTH AVENUE, N.E., AS A RESULT OF SUCH BUILDING BEING DESIGNATED AS A HISTORIC BUILDING LANDMARK**

**WHEREAS**, the City of Atlanta Impact Fee Ordinance provides in Article 15 (Exemptions) Section I (E), that economic development projects are exempt from the payment of Development Impact Fees; and

**WHEREAS**, the City of Atlanta Impact Fee Ordinance provides in Article 5, (Definitions), that economic development projects mean any project located within a designated housing, commercial or industrial enterprise zone; the rehabilitation or conversion of any Historic Building; or any new not-for-profit day care, vocational training, or educational facility located in a Community Development Impact Area; or any private not-for-profit recreational facility; and

**WHEREAS**, the City of Atlanta Impact Fee Ordinance, Article 15, Section 3, provides in part that ... "to be eligible for an exemption a Developer must file an application for exemption with the Director before the time Development Impact Fees are imposed"; and

**WHEREAS**, Highland School Lofts (978 North Avenue, N.E.), initially received a building permit BB200302850 on April 30, 2003 using pre-ordinance Impact Fee Development Credits and has been subsequently designated as a historic building in accordance with Ordinance03-R-2245, dated, 1/14/04; and

**WHEREAS**, the Highland School Lofts has requested a refund of pre-ordinance Impact Fee Development Credits as a result of the retroactive Historic Designation.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, as follows:

**Section 1:** That the pre-ordinance Impact Fee Development Credits previously accepted for building permit BB200302850 (30 April 2003) to this project by the City of Atlanta Bureau of Buildings for the conversion of existing buildingtoresidentialcondominiums,locatedat978



North Avenue, N.E., be reimbursed to the developer, New South Construction Company, Inc., 1132 West Peachtree Street, Atlanta, Georgia 30309.

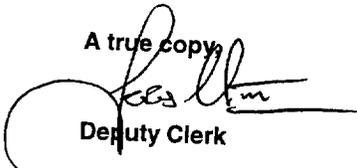
**Section 2:** That the Director of the Bureau of Housing and Code Compliance be authorized to accept the Historic Designation for Economic Development exemption.

**Section 3:** That the Chief Financial Officer be authorized to consider the Impact Fee exemption.

**Section 4:** That the Director of the Bureau of Buildings, upon approval of the Chief Financial Officer, is hereby retroactively authorized to adjust such pre-ordinance Impact Fee Development Credits from New South Construction Company, 1132 West Peachtree Street, Atlanta, Georgia 30309.

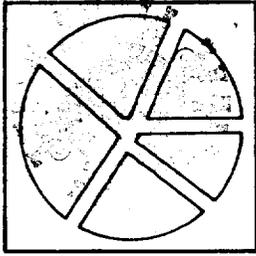
**Section 3:** All ordinances and parts of ordinances in conflict herewith are hereby repealed.

A true copy

  
Deputy Clerk

ADOPTED as amended by the Council  
APPROVED by the Mayor

JAN 20, 2004  
JAN 28, 2004



ATLANTA  
URBAN DESIGN  
COMMISSION

ATLANTA CITY HALL  
55 TRINITY AVENUE, SW  
SUITE 3400  
ATLANTA, GEORGIA 30335-0331  
(404) 330-6200

RECEIVED DEC 03 2003

December 2, 2003

Mr. Blair G. Schlossberg  
Highland School Lofts, LLC  
3625 Cumberland Boulevard  
Suite 260  
Atlanta, GA 30339

Re: NOTICE OF NOMINATION DECISION

Dear Mr. Schlossberg:

In accordance with the City of Atlanta's Historic Preservation Ordinance, Code of Ordinances Section 16-20.001 *et seq.*, and based on the historic, cultural and architectural significance of the Highland School, you are hereby notified that the Urban Design Commission passed a resolution on November 24, 2003, approving the nomination of the property located at 978 North Avenue, N.E., Land Lot 16, in the 14th District of Fulton County, to the overlay zoning category of Landmark Building or Site (LBS). The existing zoning classification for this property is RG-2. The proposed zoning classification for the property would be RG-2/LBS

A proposed ordinance designating said building will be introduced by the Zoning Committee of the Atlanta City Council. As required of any zoning ordinance, this ordinance will be heard at a public hearing before the Zoning Review Board. The public hearing on the proposed Highland School will be held by the Zoning Review Board on January 8, 2004, at 6:00 p.m., in City Council Chambers. Owner(s), and other interested parties, will have the opportunity to present testimony and other evidence regarding the proposed designation. You will be notified of additional details regarding the Zoning Review Board hearing by the Zoning Division of the Bureau of Planning.

Please be further advised that the property herein referenced continues to be protected and controlled on an interim basis by the regulations contained in Section 16--20-005(c) of the Code of Ordinances. Exterior alterations require a Certificate of Appropriateness from the Urban Design Commission during this period of interim control.

If you have any questions concerning this matter, please contact me at 404/330-6200 or John Bell, Secretary for the Zoning Review Board, at 404/330-6145.

Very truly yours,

Karen Huebner  
Executive Director

Notice of Nomination Decision  
December 2, 2003  
Page Two

- c: Charles Graves, Commissioner  
Department of Planning & Community Development  
John Bell, Zoning Administrator  
Bureau of Planning  
Norman Koplon, Director  
Bureau of Buildings  
Dianne Barfield, Chief  
Zoning Enforcement  
Debi Starnes, Council Member  
District 2

RCS# 5362  
1/20/04  
3:05 PM

Atlanta City Council

Regular Session

04-O-0052

REIMBURSE IMPACT FEE CREDITS HIGHLAND  
SCHOOL LOFTS @978 NORTH AVENUE; LANDMARK  
ADOPT AS AMEND

YEAS: 11  
NAYS: 1  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 3

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	B Fauver	N Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	B Boazman	NV Woolard

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(Do Not Write Above This Line)

AN ORDINANCE BY  
COUNCIL MEMBER DEBI STARNES  
AN ORDINANCE TO  
REIMBURSE IMPACT FEE  
CREDITS FOR HIGHLAND  
SCHOOL LOFTS, LOCATED  
AT 978 NORTH AVENUE, N.E.,  
AS A RESULT OF SUCH BUILDING  
BEING DESIGNATED AS A HISTORIC  
BUILDING (LANDMARK).

ADOPTED BY  
JAN 2 0 2004  
COUNCIL

*As amended*

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 1 5 04

Referred To: *Finance Committee*

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

*FIN Committee*  
Date *1/14/04*

*Chair*  
*Debi Starnes*

*Fav, Adv, Hold (see rev. side)*  
*Other*  
*As Amended*

*Members*  
*Shirley H. Brown*  
*Harold Skunk*

*Chair*  
*Blair Mueller*  
*Nay*

Refer To

Committee

Date

Chair

Action  
Fav, Adv, Hold (see rev. side)  
Other

Members

Committee

Date

Chair

Action  
Fav, Adv, Hold (see rev. side)  
Other

Members

Refer To

Committee

Date

Chair

Action  
Fav, Adv, Hold (see rev. side)  
Other

Members

Refer To

- FINAL COUNCIL ACTION
- 2nd
  - 1st & 2nd
  - 3rd
  - Consent
  - V Vote
  - RC Vote

CERTIFIED

JAN 2 0 2004

CERTIFIED  
JAN 2 0 2004  
*Ruth Douglas Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

*Debi Starnes*  
MAYOR  
JAN 2 8 2004